



October 3, 2019

Zachary Moore, Planner II
City of Olathe
100 E. Santa Fe
Olathe, KS 66061

**RE: PR19-0022 CEDAR CREEK CORPORATE CAMPUS F
REQUEST FOR WAIVER**

Dear Mr. Moore:

We are requesting waiver from Section 18.20.180.B, Paving/Parking Location with the above referenced Preliminary Development Plan Application to reduce the required setback of 30 feet for parking adjacent to a street right of way to a setback of 10 feet. The existing zoning is BP and the proposed use is a professional office building. Please see the following items as justification for our request.

- a. An alternative design can accomplish a higher quality design with no negative impacts to either the residential or nonresidential properties.

Response: The waiver would comply with the UDO Environmentally Sustainable Design/Principals by minimizing the disturbance of the existing site vegetation. The reduced setback will allow for more preservation of existing trees along the drainage channel located on the north boundary of the site. The preservation of the existing trees is an important factor in maintaining the high quality design character and continuity of design that has been a major feature of the Cedar Creek area. Screening of the parking lot can still be accomplished as required by the UDO.

- b. Adjacent nonresidential property is restricted to land uses that are low impact and low scale, and the site is designed in a manner so that adjacent residential properties will not be impacted by any such reductions.

Response: The proposed land use has been planned in Cedar Creek since the original plan was created. The approved preliminary plan indicated a similar parking lot. The existing zoning allows higher intensity uses such as light assembly and warehousing. The proposed use is a less intense office use.

- c. Existing topography, hedgerows or natural features provide significant screening.

Response: Drivers on the adjacent street will look over the parking lot since the parking lot is located on average four feet lower than the street elevation. Upright evergreen trees provide additional screening.

- d. Significant buffers have been provided by adjacent nonresidential development and such properties will not be impacted by any such reductions.

Response: The setback within the code is established to provide a buffer between the parking lot and street. The adjacent street right of way is wider than typically found for this street type. The distance between the existing curb for the adjacent street and right of way is significantly greater than typically found for similar streets. The increased distance between the existing street curb and right of way increases the distance between the existing street curb and parking lot curb. The distance between the existing street curb and the proposed parking lot curb is a similar distance (40') to the distance between the curb of other streets in the City with a typical right of way width and the curb of parking lot (42').

The adjacent residential properties, located on the opposite side of the collector street, have mature landscape which provides a buffer immediately adjacent to the residential uses. Landscape plantings proposed along the street for the project site provides screening between the parking and street.

- e. The buffer requirements impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design and building design arrangements are not possible.

Response: Providing the setback in the code would significantly increase the removal of several mature trees along the north boundary of the site.

Thank you for your time and assistance. We appreciate your consideration of this request.

Sincerely,

SCHLAGEL & ASSOCIATES, P.A.



Daniel G. Foster, PLA
Principal / Landscape Architect
Direct Dial 913-322-7142
df@schlagelassociates.com

/mdr